

FMC Corporation

Phosphorus Chemicals Division
PO Box 4111
Pocatello, Idaho 83205
(208) 236-8200

FF 9518
FK17a
1/17/01
FILE COPY

FMC
RECEIVED

January 16, 2001

Mr. Charles Findley
Acting Regional Administrator
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

JAN 17 2001

OFFICE OF WASTE
& CHEM. MGMT.

Subject: Certification of Closure of Waste Management Unit #9 (Pond 9E)
Astaris Idaho LLC (Astaris), Pocatello, Idaho
EPA I.D. No. IDD 07092 9518

Dear Mr. Findley:

Astaris (formerly FMC Corporation) completed closure of RCRA hazardous waste unit #9 (Pond 9E) at the Astaris Idaho LLC, Pocatello facility on December 5, 2000. Pursuant to the EPA-approved RCRA closure plan for Pond 9E, enclosed please find the certification that the closure was completed in accordance with the closure plan. Documentation supporting the certification, the Closure Report (for) Pond 9E Final Cap dated December 2000, is enclosed.

Pursuant to the post-closure plan, Astaris has recorded the required notice to the deed that the land use is restricted and has recorded a survey plat (as required under 40 CFR 265.116) depicting the closure area at Pond 9E. Enclosed please find a copy of the recorded "Notice and Covenants Restricting Use of Property" and survey plat for Pond 9E. In addition, Astaris filed the deed notice and survey plat with local authorities, specifically the State Emergency Response Committee (SERC) and the District V Local Emergency Planning Committee (LEPC). A copy of the letter that transmitted these documents to the SERC and LEPC is enclosed.

Astaris has initiated required post-closure monitoring and maintenance at Pond 9E per the post closure plan component of the approved Pond 9E closure plan.

Finally, Astaris anticipates that a separate request will be forwarded to EPA Region 10 requesting a reduction in the RCRA financial assurance for the facility in recognition of completion of the closure of Pond 9E. Please feel free to contact me at (208) 236-8658 should you have questions regarding this information.

Very truly yours,



Rob J. Hartman
FMC Corporation

Enclosures

cc: Andrew Boyd, EPA w/o enclosures
Linda Meyer, EPA w/ enclosures
Wallace Reid, EPA w/o enclosures
Susan Hanson, Shoshone-Bannock Tribes w/ enclosures

Closure Certification

Pond 9E (WMU #9)

Astaris Idaho LLC, Pocatello, Idaho

EPA I.D. No. IDD 07092 9518

Within 60 days of completion of closure of Pond 9E, Astaris Idaho LLC (formerly FMC Corporation) is submitting to the Regional Administrator, by registered mail, a certification that the waste management unit has been closed in accordance with the specifications of the Closure Plan. The certification is signed by the facility owner and operator and by an independent Professional Engineer registered in the State of Idaho. Documentation supporting the Engineer's certification is provided in the Closure Report (for) Pond 9E Final Cap dated December 2000, and has been submitted to the Regional Administrator.

Certification of closure activities for Pond 9E:

I certify, under penalty of law, that Pond 9E was closed on December 5, 2000 in accordance with the specifications of the EPA-approved Closure Plan. The Closure Plan was approved by the Environmental Protection Agency, Region 10 on March 14, 2000.

Name: Paul R. Yochum

Signed: 
Plant Manager

Date: January 9, 2001

Name: John Elle

Signed: 
Engineer

Registration #: Idaho 4440

Date: 1/9/2001

Reference: Instrument No. 20005743 (Bannock County) and
Instrument No. 174944 (Power County)

NOTICE AND COVENANTS RESTRICTING USE OF PROPERTY

Astaris Idaho LLC ("Covenantor"), being the owner of the real property located in Power County, Idaho described in the above-referenced Instrument Numbers, hereby adopts the covenants, conditions and restrictions set forth herein which shall apply to and run with the property.

1. Notice. The property includes an area that has been used to manage hazardous waste regulated under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq. This area consists of a former surface impoundment known as Pond 9E where elemental phosphorus processing wastes have been covered by a low permeability cap. The limits of the RCRA cap area are shown on the attached plat. The area within this perimeter, referred to herein as the "Property," is subject to land use restrictions under Subpart G of Title 40 of the Code of Federal Regulations. The Property encompasses the limits of the final cap and an area at least 20 feet outside the anchor trench as shown on the Survey Plat, Instrument Number 20100185, recorded in Book 7 of Deeds at Page 1214 (Bannock County) and Instrument Number 176458, recorded in Book 2 of Deeds at Page 262 (Power County).

2. Type, location and quantity of the hazardous wastes. The hazardous wastes disposed of at the Property consist of elemental phosphorus mineral processing wastes that exhibit hazardous characteristics. These wastes are located beneath the limits of the as-built RCRA cap as shown on the Survey Plat, Instrument Number 20100185, recorded in Book 7 of Deeds at Page 1214 (Bannock County) and Instrument Number 176458, recorded in Book 2 of Deeds at Page 262 (Power County). The total quantity of hazardous waste located at the Property is approximately 17 acre-feet.

3. Covenants Restricting Use. Property use and development inconsistent with the restrictions established under Subpart G of Title 40 of the Code of Federal Regulations shall be prohibited. No activity or development shall take place with respect to the Property that would jeopardize the integrity of the installed cap or interfere with ongoing cap maintenance and monitoring. Any subsurface intrusion at the Property is prohibited.

4. Covenants to Run With the Land in Perpetuity. The restrictions contained in this Covenant shall run with the land in perpetuity, and shall bind all persons obtaining or succeeding to an interest in the Property after the date hereof.

5. Application. All real estate, lots, parcels or portions thereof located within or on the Property, and any conveyance or transfer covering or describing any part thereof, shall be

subject to the notice, covenants, conditions and restrictions contained herein. By acceptance of such conveyance or transfer, each transferee or grantee and each of his heirs, successors, transferees or assigns agree with Covenantor and each other to be bound by the covenants, conditions and restriction contained herein.

6. Partial Resale, Lease or Sublease. The sale, subdivision, leasing and subleasing of a portion of the Property shall be prohibited unless each such portion resulting from such sale, subdivision, leasing or subleasing will meet all of the requirements contained herein and contained in any applicable, valid governmental ordinances and regulations.

7. Enforcement. Covenantor and any person, corporation or other entity who hereafter asserts or claims any right, title, claim or interest in and to the Property, whether as successor in title or otherwise and whether voluntarily or by operation of law ("Grantee"), and any person, corporation or other entity claiming by, through or under Covenantor or Grantee, or their heirs, assigns or successors, or any of them severally, shall have the right to enforce the restrictions contained in this Covenant and to proceed at law or in equity to compel compliance with or prevent the violation or breach of the terms hereof. The prevailing party in any action to enforce any provision of this Covenant shall be entitled to recover all costs of such action, including reasonable attorney fees.

8. Miscellaneous. The determination that any provision of this Covenant is invalid shall not affect any other provision of this Covenant and the other provisions of this Covenant shall remain in full force and effect. No waiver of the breach of any provision of this Covenant shall constitute a waiver of a subsequent breach of the same provision or of any other provision. This instrument does not limit or otherwise affect prior land use restrictions that have been placed on the Property. No right of action shall accrue for or on account of the failure of any person to exercise any right created by this Covenant nor for imposing any provision, condition, restriction or covenant which may be unenforceable.

Dated this 9 day of January, 2001.

ASTARIS IDAHO LLC

By: [Signature]
Its: Plant Manager

20100371

STATE OF IDAHO

)
) ss.
)

COUNTY OF POWER

I certify that I know or have satisfactory evidence that Paul R Yochum is the person who appeared before me, that said person acknowledged that (s)he signed this instrument, and that said person on oath stated that (s)he was authorized to execute the instrument as the Plant Manager of Astoria Idaho, and that the instrument was the free and voluntary act of said corporation.

Given under my hand and official seal this 9th day of January, 2001.



Karen M. Crane

NOTARY PUBLIC in and for the State of Idaho,
residing at 801 Peace Place
My appointment expires May 2005

20100371

NO
RECORDED AT REQUEST OF

Astoria
2001 JAN 9 PM 3 58

OFFICIAL RECORD BOOK NO 173

BANNOCK COUNTY IDAHO

LARRY W GHAN RECORDER

FEE 9.00 DEPUTY Jo

176490

INSTRUMENT #	
TIME	<u>4:35 p.m.</u>
REQ. OF	<u>Astoria</u>
JAN 09 2001	
POWER COUNTY AM FALLS CHRISTINE STEINBOCH	
BY	<u>Kenneth Rupp</u>
	DEPUTY
Pd. \$9.00	

FMC Corporation

Phosphorus Chemicals Division
Box 4111
Pocatello, Idaho 83205
(208) 236-8200
FAX (208) 236-8396



January 12, 2001

District V LEPC
Military Division, Bureau of Hazardous Materials
William H. (Bill) Bishop
Attn: District V LEPC
P.O. Box 83720
4040 Guard Street
Boise, Idaho 83720-3401

Power County LEPC
Mark Love, Chairman
P.O. Box 68
American Falls, ID 83211

Subject: Notice and Survey Plat for Closed RCRA Hazardous Waste Management Unit #9
(Pond 9E) at the Astaris Idaho LLC (Astaris), Pocatello Facility

Dear Mr. Bishop and Mr. Love:

Astaris (formerly FMC Corporation) completed closure of RCRA hazardous waste unit #9 (Pond 9E) at the Astaris, Pocatello facility on December 5, 2000. Pursuant to Subpart G of Title 40 of the Code of Federal Regulations and as specified in the EPA-approved RCRA closure plan for Pond 9E, Astaris is required to file a survey plat (as required under 40 CFR 265.116) with local authorities, specifically the State Office of Emergency Services and the Local Area Emergency Planning Committee. Enclosed find a copy of the deed notice and survey plat for Pond 9E that document the location, nature and volume of waste closed within the cap and that the land use is restricted. Astaris has initiated required post-closure monitoring and maintenance at Pond 9E and does not anticipate any significant emergency issues related to this closed unit.

Please feel free to contact me at (208) 236-8658 should you have questions regarding this information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rob J. Hartman". The signature is fluid and cursive, with a long horizontal line extending from the end.

Rob J. Hartman
FMC Corporation

Enclosures



Scale: 1" = 100.0'

NOTES

1. REFERENCE DOCUMENTS

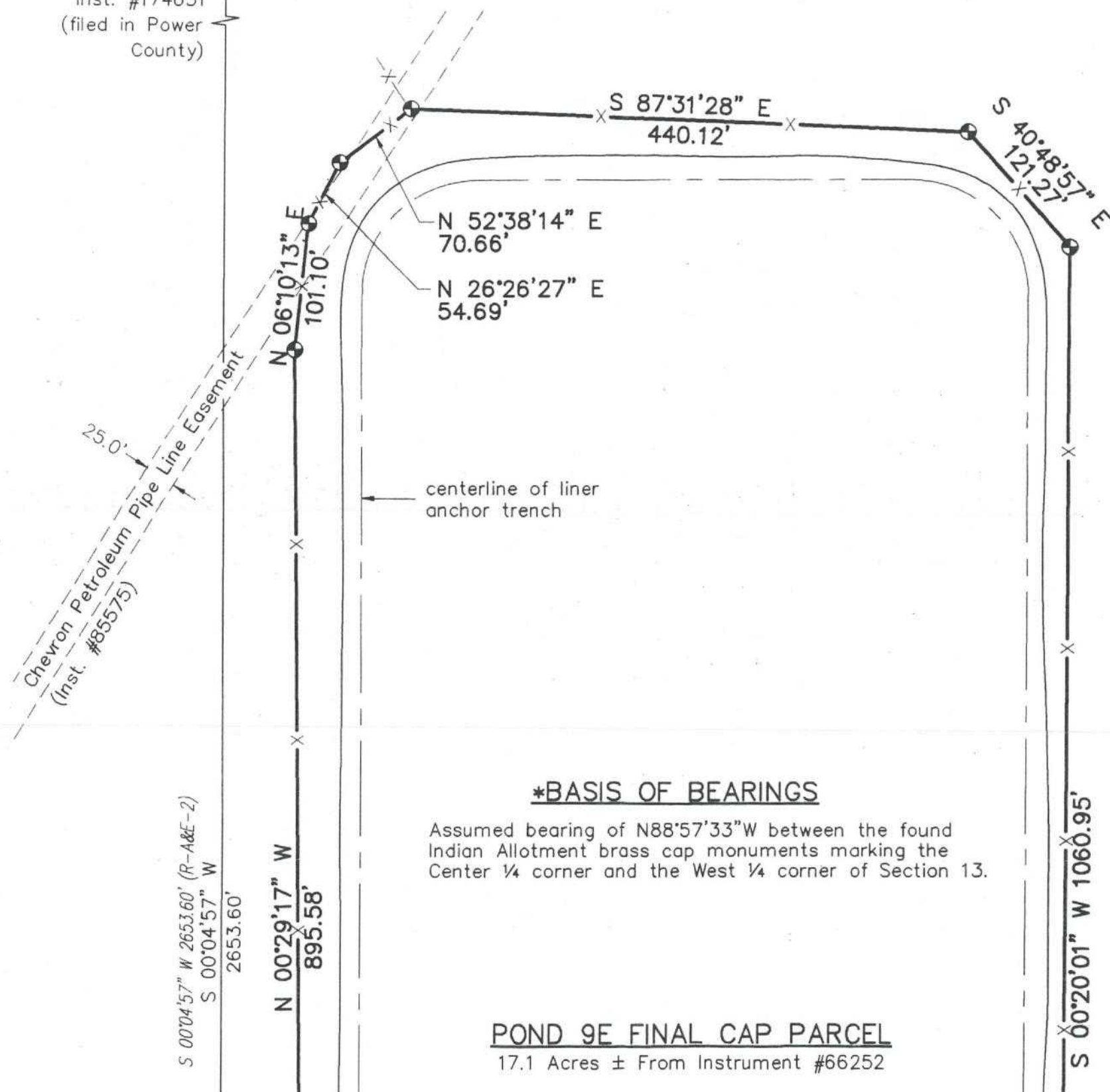
- Deed Instrument numbers on file at the Power County Recorder's office: #57272, #60838, #60907, #66252, #85575 & 179444
- Deed Instrument numbers on file at the Bannock County Recorder's office: #20005743
- FMC Corporation drawing #40976
- Record of Survey by A & E Engineering, (R-FMC)
Inst. #174026 (Power County) (R-A&E-1)
- Record of Survey by A & E Engineering, (R-A&E-2)
Inst. #174692 (Power County)
- Record of Survey by A & E Engineering, (R-A&E-2)
Inst. #20003575 (Bannock County)

- 2. All bearings and distances are measured unless otherwise noted.
- 3. AT.&T. of Wyoming and Mountain States Telephone & Telegraph have blanket easements in the Northwest 1/4 of section 13. No communication utilities exist on the property shown on this Record of Survey at this time.
- 4. The property within the limits of the Survey Plat will be restricted from any post-closure use including, but not limited to, subsurface intrusion which could jeopardize the integrity of the final cap or interfere with ongoing monitoring and maintenance activities.
- 5. This survey was previously recorded in Power County as Instrument #176386. It is being re-recorded to reference the special warranty deed transferring title from FMC to Astaris Idaho, LLC.

N 80°11'32" E (R-CPF)
N 80°11'32" E
45.06' (R-CPF)
45.06'
NW corner
Section 13
Inst. #174631
(filed in Power
County)

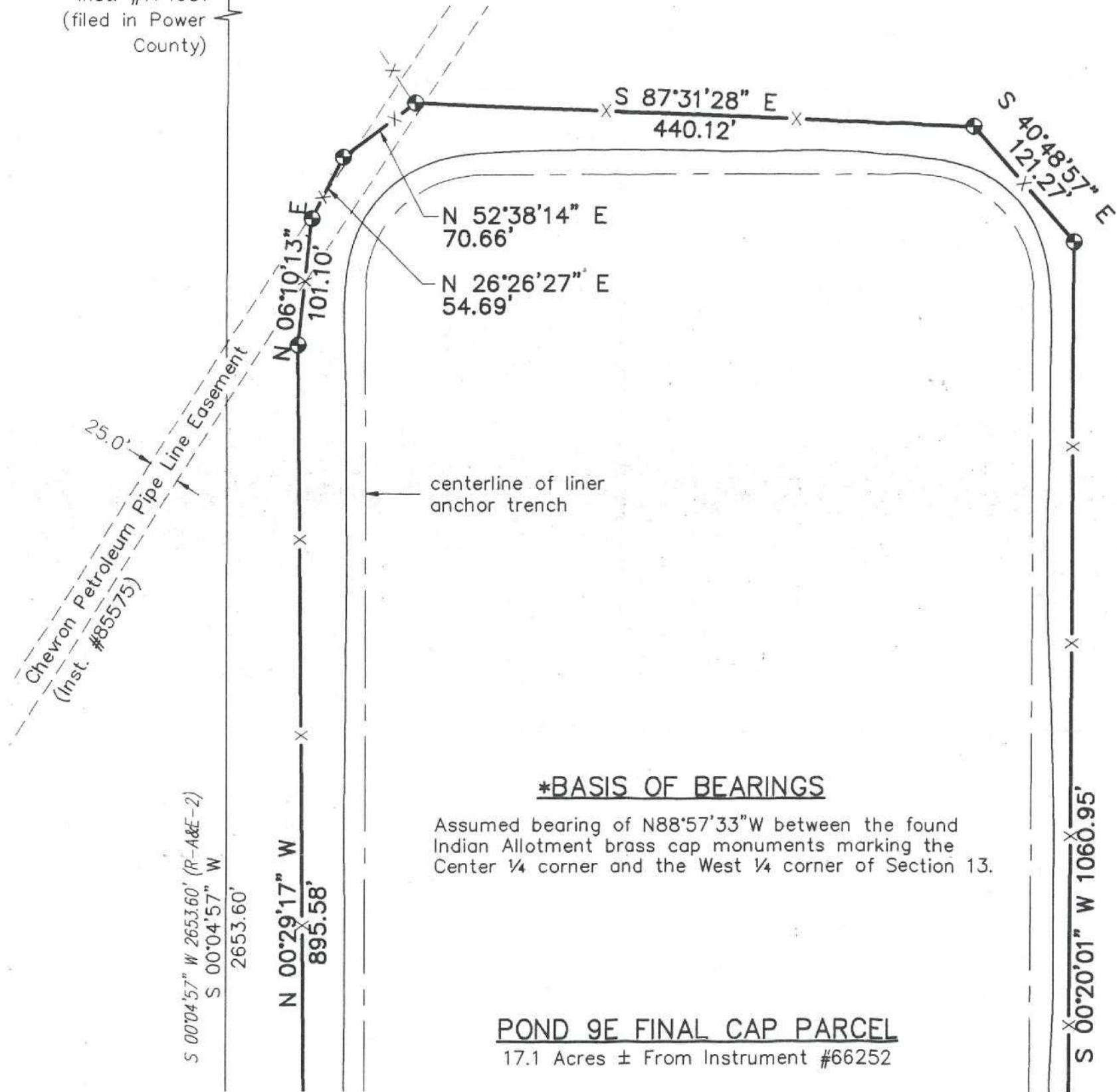
RECORD OF SURVEY PLAT

A PARCEL OF LAND LOCATED IN THE W 1/2 NW 1/
SECTION 13, T 6 S, R 33 E, B.M., POWER COUNT



N 80°11'32" E (R-CPF)
 N 80°11'32" E
 45.06' 45.06'
 45.06' (R-CPF)
 NW corner
 Section 13
 Inst. #174631
 (filed in Power
 County)

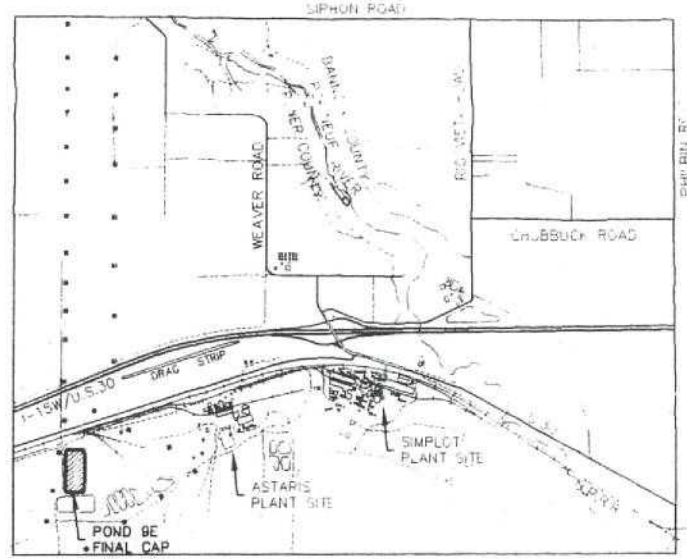
RECORD OF SURVEY PLAT **A PARCEL OF LAND LOCATED IN THE W 1/2 NW 1/4,** **SECTION 13, T 6 S, R 33 E, B.M., POWER COUNTY**



***BASIS OF BEARINGS**

Assumed bearing of N88°57'33" W between the found Indian Allotment brass cap monuments marking the Center 1/4 corner and the West 1/4 corner of Section 13.

POND 9E FINAL CAP PARCEL
 17.1 Acres ± From Instrument #66252



VICINITY MAP
 Scale: 1" = 5000'

LEGAL DESCRIPTION

A parcel of land located in the West 1/2 of the Northwest 1/4 of Section 13, T 6 S, R 33 E, B.M., Power County, Idaho, said parcel being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 13, said corner being marked by a 1912 Indian Allotment brass cap monument; thence N 88°57'33" W along the Latitudinal centerline of said Section 13, 2653.28 feet to the West 1/4 corner of said Section 13, said corner being marked by a 1912 Indian Allotment brass cap monument; thence N 1°50'56" E, 705.44 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075", said rebar marking the true point of beginning; thence N 1°54'55" E, 178.03 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 89°29'17" E, 37.30 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence N 0°29'17" W, 895.58 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence N 6°10'13" E, 101.10 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence N 26°26'27" E, 54.69 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence N 52°38'14" E, 70.66 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 87°31'28" E, 440.12 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 40°48'57" E, 121.27 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 0°20'01" W, 1060.95 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 49°15'11" W, 108.06 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075"; thence S 87°36'48" W, 558.42 feet to the true point of beginning.

2. All bearings and distances are measured unless otherwise noted.
3. AT.&T. of Wyoming and Mountain States Telephone & Telegraph have blanket easements in the Northwest 1/4 of section 13. No communication utilities exist on the property shown on this Record of Survey at this time.
4. The property within the limits of the Survey Plat will be restricted from any post-closure use including, but not limited to, subsurface intrusion which could jeopardize the integrity of the final cap or interfere with ongoing monitoring and maintenance activities.
5. This survey was previously recorded in Power County as Instrument #176386. It is being re-recorded to reference the special warranty deed transferring title from FMC to Astaris Idaho, LLC.

LEGEND

- ⊕ Set 5/8" diameter rebar with a red plastic cap stamped "PLS 8075"
- ⊙ Set P-K nail with an aluminum washer stamped "PLS 8075" in concrete fence corner anchor
- ⊠ Found Indian Allotment Brass cap monument dated 1912
- △ Found Bureau of Indian Affairs aluminum cap monument
- △ Calculated point, nothing set (point falls in canal)
- Boundary lines of Pond 9E Final Cap Parcel
- - - Easement lines
- X Existing chain link fence lines
- (R-) Record information from reference documents listed in note 1



SURVEYOR'S CERTIFICATE

I, Michael L. Deuell, PLS 8075 Idaho, Hereby certify that this plat correctly represents a survey made by me in conformance with law(s) chapter 19, Title 55, Idaho Code at the request of Astaris Idaho, LLC.

Chevron
(Inst. #8)

W1/4 corner
Section 13
Inst. #91005635
(filed in Bannock
County)

S 00°04'57" W 2653.60' (R-A&E-2)

S 00°04'57" W

2653.60'

N 00°29'17" W

895.58'

N 01°54'55" E

178.03'

P.O.B.

N 01°50'56" E
705.44'

S 89°29'17" E
37.30'

Limits of As-built,
Pond 9E Final Cap

S 87°36'48" W 558.42'

S 88°57'33" E 2653.28' (R-A&E-2)

S 88°57'21" E 2653.26' (R-A&E-1)

N 89°13' W 2652.40' (R-FMC)

N 89°16'13" W 2650.14' (R-CPF #91005635)

*N 88°57'33" W

2653.28'

*BASIS OF BEARINGS

Assumed bearing of N88°57'33"W between the found Indian Allotment brass cap monuments marking the Center 1/4 corner and the West 1/4 corner of Section 13.

POND 9E FINAL CAP PARCEL

17.1 Acres ± From Instrument #66252

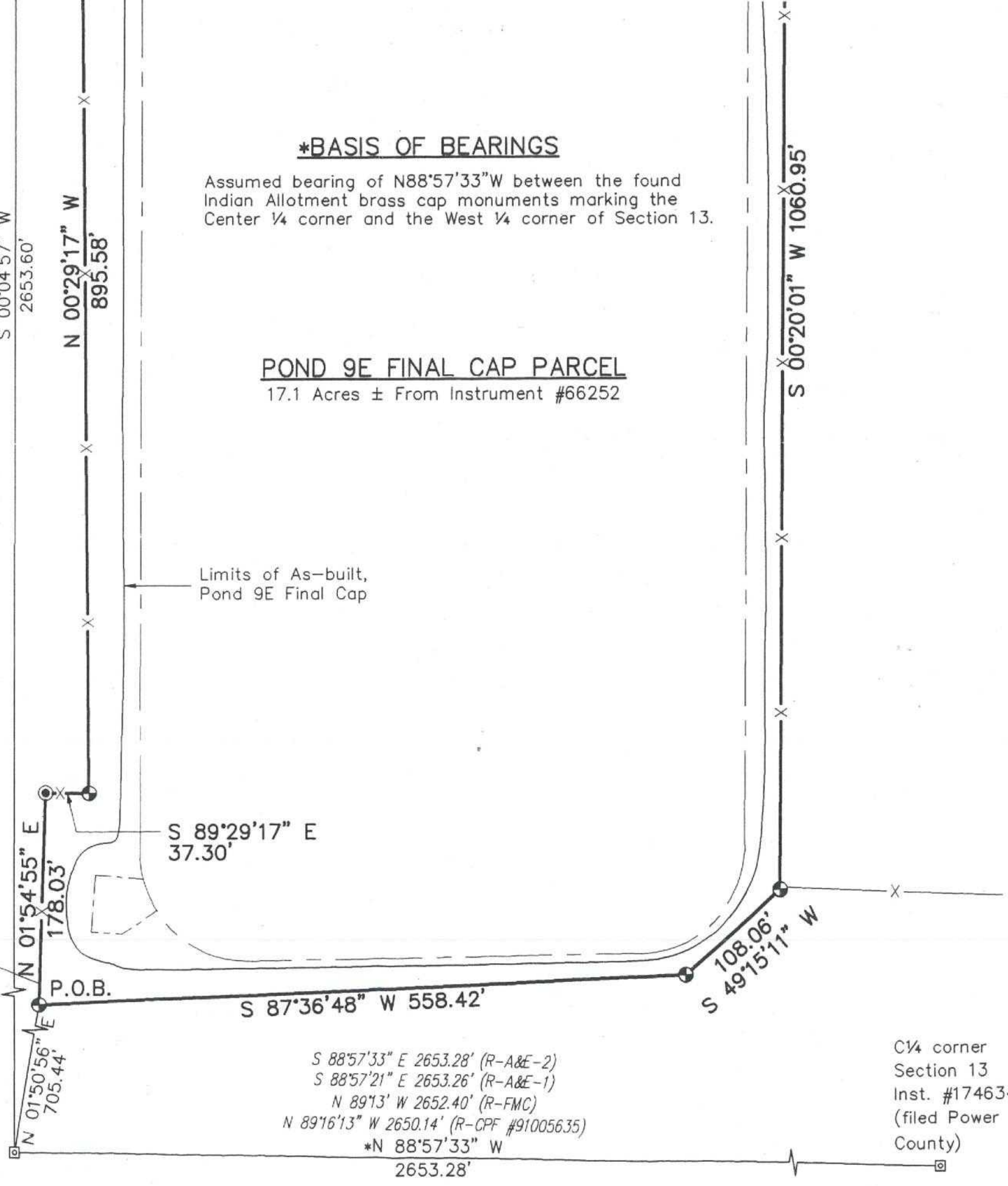
S 00°20'01" W 1060.95'

S 49°15'11" W
108.06'

C1/4 of
Section
Inst. #
(filed
County)

Chevron
(Inst. #8)

W 1/4 corner
Section 13
Inst. #91005635
(filed in Bannock
County)



***BASIS OF BEARINGS**

Assumed bearing of N88°57'33"W between the found Indian Allotment brass cap monuments marking the Center 1/4 corner and the West 1/4 corner of Section 13.

POND 9E FINAL CAP PARCEL

17.1 Acres ± From Instrument #66252

Limits of As-built,
Pond 9E Final Cap

S 88°57'33" E 2653.28' (R-A&E-2)
S 88°57'21" E 2653.26' (R-A&E-1)
N 89°13' W 2652.40' (R-FMC)
N 89°16'13" W 2650.14' (R-CPF #91005635)
*N 88°57'33" W
2653.28'

C 1/4 corner
Section 13
Inst. #174634
(filed Power
County)

thence N 1°54'55" E, 178.03 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
thence S 89°29'17" E, 37.30 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
thence N 0°29'17" W, 895.58 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
thence N 6°10'13" E, 101.10 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
thence N 26°26'27" E, 54.69 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
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thence S 49°15'11" W, 108.06 feet to a 5/8-inch diameter rebar with a red plastic cap stamped "PLS 8075";
thence S 87°36'48" W, 558.42 feet to the true point of beginning.

Said parcel containing 17.1 acres, more or less.

Said parcel being subject to a 25-foot wide underground pipeline easement to Salt Lake Pipeline Company, recorded in the Power County Clerk's office as instrument #85575.

COUNTY RECORDER

Instrument No. 176458 Time 3:50 p.m. Date 1-3-01

Book 2 Page 262 Fee \$5.00

Jennifer Rupp
County Recorder

Record of Survey Plat prepared for Astaris Idaho, LLC; Pond 9E final cap; located in the W 1/2 of the NW 1/4, Section 13, T 6 S, R 33 E, B.M. Power County.

JOB No. 2000-009		PRINT DATE: JAN 08 2001	DWG. No.
DRAWN BY: MLD	DATE: 11/30/00	SHEET 1 OF 1 SHEETS	239
CHECKED BY: JTE	DATE: 12/15/00	CALCULATED BY: MLD DATE: 10/27/00	
PLOT SCALE: 1 = 100		DATE PLOTTED: 1/03/01	BY: mld

A & E ENGINEERING INC.

P.O. BOX 1327
POCATELLO, IDAHO 83204
PHONE: (208) 233-4226



Scale: 1" = 100.0'

NOTES

1. REFERENCE DOCUMENTS

- Deed Instrument numbers on file at the Power County Recorder's office: #57272, #60838, #60907, #66252, #85575 & 179444
- Deed Instrument numbers on file at the Bannock County Recorder's office: #20005743
- FMC Corporation drawing #40976
- Record of Survey by A & E Engineering, (R-FMC)
Inst. #174026 (Power County) (R-A&E-1)
- Record of Survey by A & E Engineering, (R-A&E-2)
Inst. #174692 (Power County)
- Record of Survey by A & E Engineering, (R-A&E-2)
Inst. #20003575 (Bannock County)

- 2. All bearings and distances are measured unless otherwise noted.
- 3. AT.&T. of Wyoming and Mountain States Telephone & Telegraph have blanket easements in the Northwest 1/4 of section 13. No communication utilities exist on the property shown on this Record of Survey at this time.
- 4. The property within the limits of the Survey Plat will be restricted from any post-closure use including, but not limited to, subsurface intrusion which could jeopardize the integrity of the final cap or interfere with ongoing monitoring and maintenance activities.

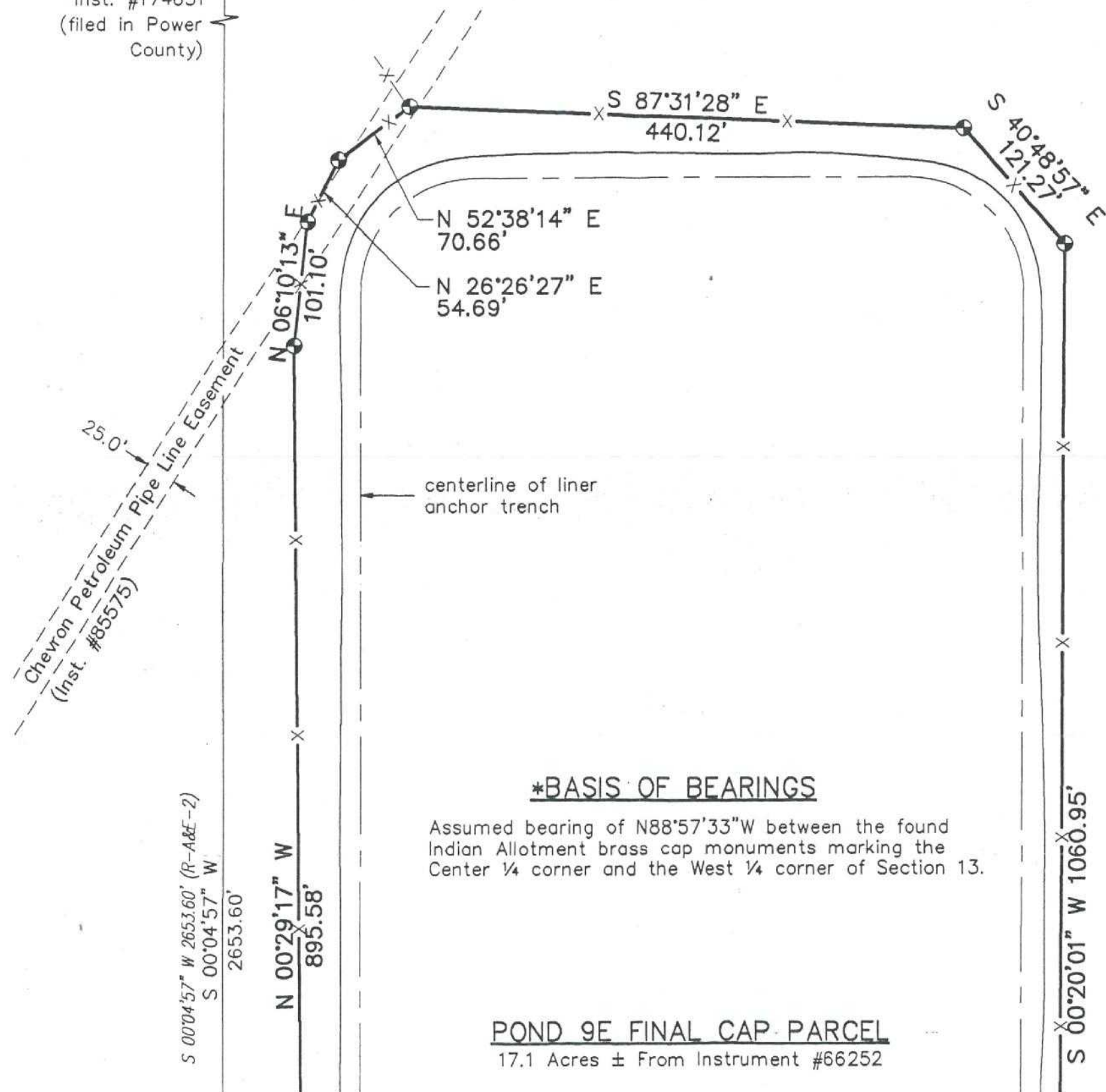
LEGEND

- ⊕ Set 5/8" diameter rebar with a red plastic cap stamped "PLS 8075"
- ⊙ Set P-K nail with an aluminum washer stamped "PLS 8075"

N 80°11'32" E (R-CPF)
N 80°11'32" E
45.06' 45.06'
45.06' (R-CPF)
NW corner
Section 13
Inst. #174631
(filed in Power
County)

RECORD OF SURVEY PLAT

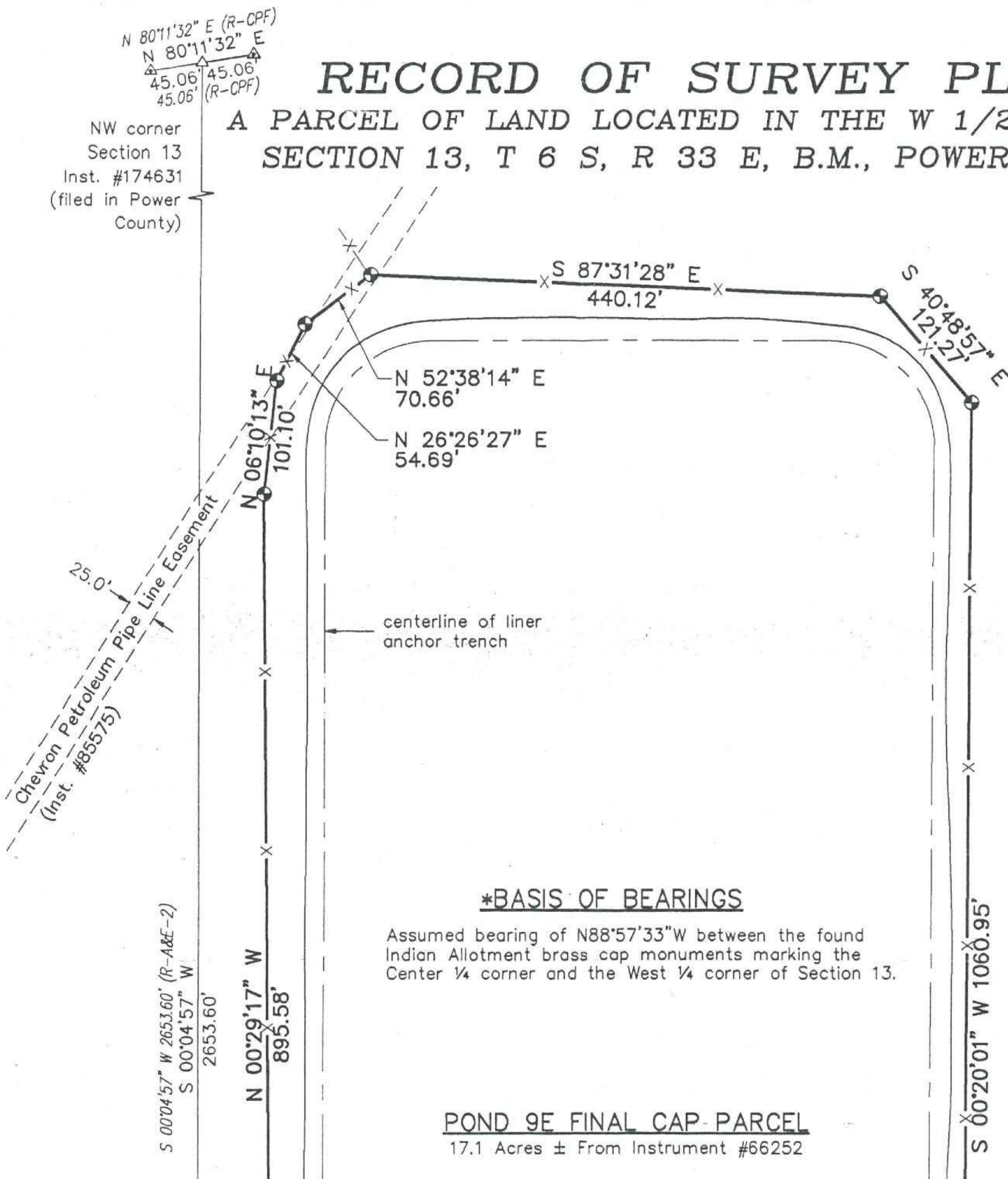
A PARCEL OF LAND LOCATED IN THE W 1/2 NW 1/
SECTION 13, T 6 S, R 33 E, B.M., POWER COUNT



RECORD OF SURVEY PLAT

A PARCEL OF LAND LOCATED IN THE W 1/2 NW 1/4,
SECTION 13, T 6 S, R 33 E, B.M., POWER COUNTY

NW corner
Section 13
Inst. #174631
(filed in Power
County)

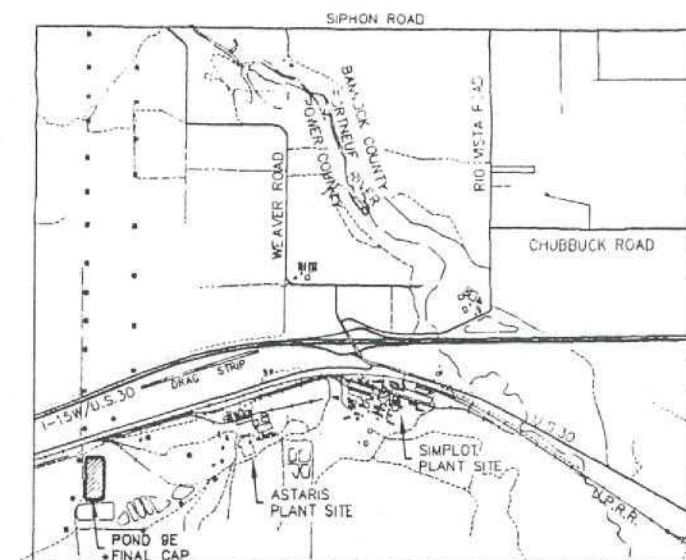


*BASIS OF BEARINGS

Assumed bearing of N88°57'33\"W between the found
Indian Allotment brass cap monuments marking the
Center 1/4 corner and the West 1/4 corner of Section 13.

POND 9E FINAL CAP PARCEL

17.1 Acres ± From Instrument #66252



VICINITY MAP

Scale: 1" = 5000'

LEGAL DESCRIPTION

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1/4 of Section 13, T 6 S, R 33 E, B.M., Power County, Idaho,
said parcel being more particularly described as follows:

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corner being marked by a 1912 Indian Allotment brass cap monument;
thence N 88°57'33\"W along the Latitudinal centerline of said
Section 13, 2653.28 feet to the West 1/4 corner of said Section
13, said corner being marked by a 1912 Indian Allotment brass
cap monument;
thence N 1°50'56\"E, 705.44 feet to a 5/8-inch diameter rebar
with a red plastic cap stamped "PLS 8075", said rebar marking
the true point of beginning;
thence N 1°54'55\"E, 178.03 feet to a 5/8-inch diameter rebar
with a red plastic cap stamped "PLS 8075";
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LEGEND

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- ⊙ Set P-K nail with an aluminum washer stamped "PLS 8075" in concrete fence corner anchor
- ⊠ Found Indian Allotment Brass cap monument dated 1912
- △ Found Bureau of Indian Affairs aluminum cap monument
- △ Calculated point, nothing set (point falls in canal)

———— Boundary lines of Pond 9E Final Cap Parcel

----- Easement lines

X ——— X Existing chain link fence lines

(R—) Record information from reference documents listed in note 1



SURVEYOR'S CERTIFICATE

I, Michael L. Deuell, PLS 8075 Idaho, Hereby certify that this plat correctly represents a survey made by me in conformance with law(s) chapter 19, Title 55, Idaho Code at the request of Astaris Idaho, LLC.

Chevron
(Inst. #85)

W1/4 corner
Section 13
Inst. #91005635
(filed in Bannock
County)

S 00°04'57" W 2653.60' (R-A&E-2)

S 00°04'57" W

2653.60'

N 00°29'17" W

895.58'

N 01°54'55" E

178.03'

P.O.B.

N 01°50'56" E

705.44'

S 89°29'17" E
37.30'

S 87°36'48" W 558.42'

S 88°57'33" E 2653.28' (R-A&E-2)

S 88°57'21" E 2653.26' (R-A&E-1)

N 89°13' W 2652.40' (R-FMC)

N 89°16'13" W 2650.14' (R-CPF #91005635)

*N 88°57'33" W

2653.28'

*BASIS OF BEARINGS

Assumed bearing of N88°57'33"W between the found Indian Allotment brass cap monuments marking the Center 1/4 corner and the West 1/4 corner of Section 13.

POND 9E FINAL CAP PARCEL

17.1 Acres ± From Instrument #66252

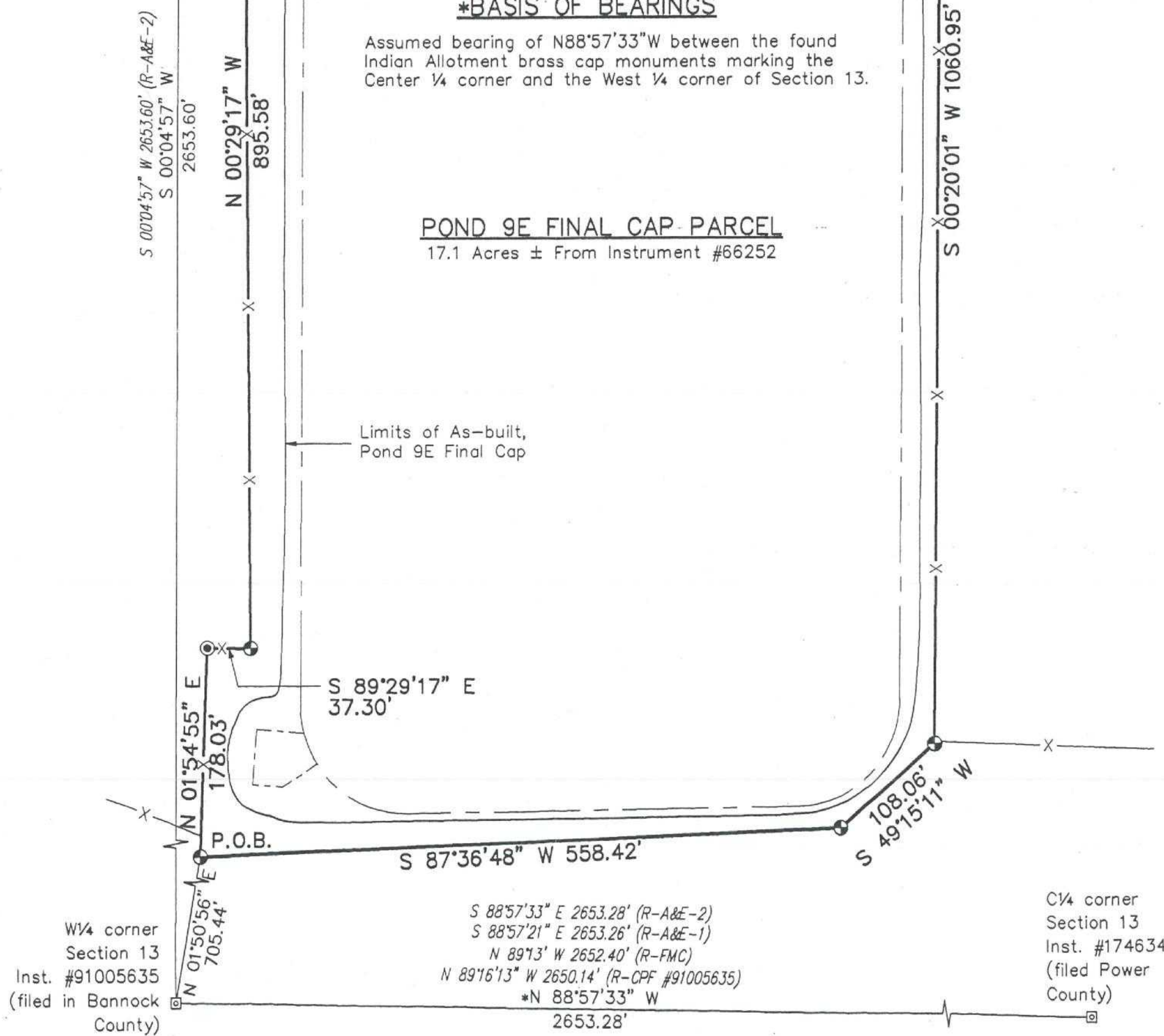
Limits of As-built,
Pond 9E Final Cap

S 00°20'01" W 1060.95'

S 49°15'11" W
108.06'

C1/4 corr
Section
Inst. #1
(filed P
County)

Chevron
(Inst. #85)



***BASIS OF BEARINGS**

Assumed bearing of N88°57'33\"/>

POND 9E FINAL CAP PARCEL

17.1 Acres ± From Instrument #66252

thence N 1°54'55\"/>

Said parcel containing 17.1 acres, more or less.

Said parcel being subject to a 25-foot wide underground pipeline easement to Salt Lake Pipeline Company, recorded in the Power County Clerk's office as instrument #85575.

COUNTY RECORDER

Instrument No. 20100185 Time 1531 Date 1-4-2001

Book 7 Page 1214 Fee \$5.00

by L Kay
County Recorder

Record of Survey Plat prepared for Astaris Idaho, LLC; Pond 9E final cap; located in the W 1/2 of the NW 1/4, Section 13, T 6 S, R 33 E, B.M. Power County.

JOB No. 2000-009		PRINT DATE: JAN 08 2001	DWG. No.
DRAWN BY: MLD	DATE: 11/30/00	SHEET 1 OF 1 SHEETS	238
CHECKED BY: JTE	DATE: 12/15/00	CALCULATED BY: MLD DATE: 10/27/00	
PLOT SCALE: 1 = 100		DATE PLOTTED: 1/03/01 BY: mld	

A & E ENGINEERING INC.

P.O. BOX 1327
POCATELLO, IDAHO 83204
PHONE: (208) 233-4226